	Application No.	Applicant(s)
Notice of Allowability	09/661,168	VOGEL ET AL.
	Examiner	Art Unit
	JAGDISH PATEL	3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *10/6/2004*.

2. ☒ The allowed claim(s) is/are *1-3,5-11,14-25 and 27*.

3. ☒ The drawings filed on *13 September 2000* are accepted by the Examiner.

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some*   c)☐ None   of the:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a)☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

      1)☐ hereto or 2)☐ to Paper No./Mail Date _____.

    (b)☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

    Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☐ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

DETAILED ACTION

1.   This communication is in response to amendment filed

12/6/2004.

Response to Amendment

2.   Claims 1-3, 4-11, 14-25 and 27 are pending and are

allowed.

Reasons for Allowance

3.   The following is an examiner's statement of reasons

for allowance:

The claimed invention pertains to method, apparatus

and system for monitoring irregular activity in network-

based transaction facility.

4.   The following prior art references have been deemed

most relevant to the allowed claim(s):

Cook (US 5,895,453) Cook teaches a method and system for
identifying suspect transactions made by employees by
analyzing transactional data, specifically, polled data
received from stores, such as retail stores that employ
sales personnel operating retail cash registers.   Cook
discloses that the invention must receive complete,
accurate data from the client tagged to locations and
personnel in order to link the resultant records produced
to the likely suspect locations and personnel who may be
involved in a the theft or other improper misappropriating
conduct (Column 4, Lines 49-56). In other words, a

resulting report is generated by data acquired from physical locations and associated personnel for the purpose of discovering wrongdoings by employees.

Anderson (US 6,360,211) teaches a system and method for processing invoice information in which billing data is communicated from a first site to a second site and an automated reasonability test is performed on the billing data at the second site using a reasonability criterion.

5.   Claims 1-3, 4-11, 14-25 and 27 are allowed because Cook and Anderson discussed above as the Closest Prior art of record when taken individually or in any combination fail to teach or suggest a method, an apparatus or system of monitoring irregular activity in a networked based transaction facility including at least the following features recited in each of the foregoing claims:

processing the item data at a server coupled to the network-based transaction facility to identify at least one of the multiple items being **an irregular item based on the price-based value for the irregular item falling outside a range defined by at least one predetermined threshold price-based value, the predetermined threshold price-based value being automatically chosen from a plurality of predetermined threshold price-based values based on a category in which the irregular item was offered for sale** within the network-based transaction facility.

Any comments considered necessary by applicant must be

submitted no later than the payment of the issue fee and,

to avoid processing delays, should preferably accompany the

issue fee. Such submissions should be clearly labeled

"Comments on Statement of Reasons for Allowance."

Conclusion

6.   The prior art made of record and not relied upon is

considered pertinent to applicant's disclosure.

Quinlan et al. (PGPub 2002/0161641) discloses a method
for processing a rebate claim. The method comprises
providing a web site accessible by the consumer and
integrated with a processing system accessible by the
retailer. The processing system receives an identifier of
a qualified transaction and/or of the consumer, and
receives information from which it can be determined if the
qualified transaction at least partially satisfies a rebate
offer.

Venkatraman et al. (US 6,477,647) teaches a system and
method for confirming trade transactions via the Internet
and/or private network to e-mail adresses.

Nelson et al. (US 6,032,132) teaches a cost management
system which provides the capability for a communication
carrier service provider to substantially automate the
payment to other communication carrier service providers
for the use of their services and equipment. A validation
process for billed charges is performed in which the
individual items of the bill are
checked as to whether the rate information charged by the
communication carrier service providers matches the rates
which have been either negotiated or
established by a third party.

Miller (US 5,235,702) teaches a data processing system
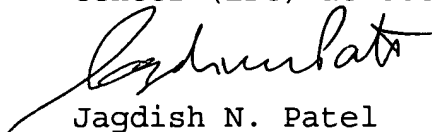for automated posting of medical insurance claims.

Friedland et al. (US 6,449,601) teaches a method for inputting into a computerized data base system data disposed in a known format and comprising machine generated text is disclosed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAGDISH PATEL whose telephone number is (703)308-7837. The examiner can normally be reached on 800AM-600PM M-Th.
If attempts to reach the examiner by telephone are

unsuccessful, the examiner's supervisor, Vincent Millin can

be reached on (703)308-1065. The fax phone number for the

organization where this application or proceeding is

assigned is 703-872-9306.

Information regarding the status of an application may

be obtained from the Patent Application Information

Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or

Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-

direct.uspto.gov. Should you have questions on access to

the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free).

Jagdish N. Patel

(Primary Examiner, AU 3624)

3/14/05